



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC 08 2008

Tom Schulze
New Jersey Transit
One Penn Plaza East
Newark, New Jersey 07105

Dear Mr. Schulze:

The Environmental Protection Agency (EPA) has reviewed the Federal Transit Administration's final environmental impact statement (FEIS) for the Access to the Region's Core (ARC) project (CEQ# 20080453). This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C 7609, PL 91-604 12 (a), 84 Stat. 1709), and the National Environmental Policy Act (NEPA).

As stated in the FEIS, the purpose of the ARC project is to increase trans-Hudson commuter rail capacity to accommodate projected ridership growth from rail lines west of the Hudson River; to enhance passenger convenience via a one-seat ride; and to improve system safety and reliability between Frank R. Lautenberg Station in Secaucus, New Jersey (NJ) and midtown Manhattan. The Build Alternative will meet these project needs through the **provision of additional tunnel capacity** into midtown Manhattan, increased station capacity in midtown Manhattan, and the use of new dual-power locomotives. The project area **is** defined as the area from the Koppers Coke site in **Kearny**, NJ through Frank R. Lautenberg Station to West 34th Street and Fifth Avenue in Manhattan. The key elements of the Build Alternative include: a direct connection at Secaucus between the Main, **Bergen** County and Pascack Valley lines and the Northeast Corridor (NEC); new track capacity along the NEC; two new single-track tunnels under the Hudson River; new station capacity in midtown Manhattan adjacent to **Penn** Station New York; and a mid-day storage yard on the Koppers Coke site. The refinements made to the Build Alternative resulting **from** comments made on the supplemental draft EIS include: a shift of the station cavern 70 feet to the west to provide 200 feet of clearance from Water Tunnel No. 1; the Twelfth Avenue Fan **Plant/Construction** Access Shaft was shifted to reduce the footprint; and the optional 35th Street Fan Plant location was eliminated to avoid impacts to historic **Hammerstein** Ballroom.

While the FEIS adequately responds **to** most of **EPA's** comments on the draft supplemental EIS, there are some outstanding issues that have not been satisfactorily addressed.

EPA is still concerned about the relatively wide range of 19.1 to 24.9 estimated acres of long **term** impacts to wetlands and open water. While we understand that

final engineering's specifications may refine this number, NJ Transit will need to be more specific when describing wetlands impacts during permitting.

While the FEIS discusses potential mitigation strategies, it does not include a mitigation plan that can be examined by the public. In the absence of mitigation plans, the ROD should note that construction on the project cannot start until a mitigation plan is finalized and **mitigation** underway.

If you have any questions regarding this review or our comments, please contact Lingard **Knutson** at **212-637-3747**.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Filippelli".

John **Filippelli**, Chief
Strategic Planning and Multi-Media Programs Branch

cc: Donald **Burns**, FTA